



February 25, 2003

HOUSE BILL No. 1360

DIGEST OF HB 1360 (Updated February 18, 2003 2:05 PM - DI 107)

Citations Affected: IC 35-37.

Synopsis: Prohibits lie detector tests for sex crime victims. Prohibits sex crime victims from being required to submit to a polygraph examination.

Effective: July 1, 2003.

Lawson L, Budak

January 14, 2003, read first time and referred to Committee on Judiciary.
February 24, 2003, amended, reported — Do Pass.

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HB 1360—LS 7271/DI 109+



February 25, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1360

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-37-4.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]:
4 **Chapter 4.5. Sex Crimes Victims and Polygraph Examinations**
5 **Sec. 1. As used in this chapter, "polygraph instrument" has the**
6 **meaning set forth in IC 25-30-2-1.**
7 **Sec. 2. A law enforcement officer shall not require an alleged**
8 **victim of an offense described in IC 35-42-4 to submit to a**
9 **polygraph examination.**
10 **Sec. 3. A law enforcement officer shall not refuse to investigate,**
11 **charge, or prosecute an offense under IC 35-42-4 solely because the**
12 **alleged victim has not submitted to a polygraph examination.**
13 **Sec. 4. This chapter does not prohibit an alleged victim of an**
14 **offense under IC 35-42-4 from voluntarily submitting to a**
15 **polygraph examination.**

HB 1360—LS 7271/DI 109+



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1360, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "may" and insert "**shall**".

Page 1, line 10, delete "may" and insert "**shall**".

and when so amended that said bill do pass.

(Reference is to HB 1360 as introduced.)

LAWSON L, Chair

Committee Vote: yeas 12, nays 1.

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